

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

JOHN FRATUS,

Plaintiff,

v.

J. GOMEZ,

Defendant.

No. 2:21-CV-1867-DMC-P

ORDER

Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. Pending before the Court is Plaintiff's motion, ECF No. 7, for an extension of time and for sanctions.

On October 22, 2021, the Court directed Plaintiff to resolve the fee status for this case within 30 days. On December 6, 2021, the Court granted Plaintiff a 30-day extension of time to resolve the fee status. On December 17, 2021, the Court received timely payment from Plaintiff's prison for the full filing fees. Plaintiff's current motion for an extension of time to resolve the fee status is, therefore, unnecessary and will be denied as such.

Plaintiff also seeks sanctions against Defendants, apparently because prison officials have not processed his requests to issue checks for payment of filing fees in this and two other cases, Fratus v. Sandhu, et al., 2:21-CV-1869-CKD, and Fratus v. Uchi, et al., 1:21-CV-1523-NONE-EPG. A review of the dockets for these cases reflects that a check for payment of

1 filing fees was received on December 16, 2021, in Fratus v. Uchi, et al. To date, no payment has
2 been docketed in Fratus v. Sandhu, et al. In any event, any failure to process Plaintiff's requests
3 for payments for filing fees cannot be attributed to Defendant in this case, who is alleged to be a
4 correctional officer at California State Prison – Sacramento because Plaintiff's requests were
5 made while he was housed at California State Prison – Los Angeles. Plaintiff's request for
6 sanctions will be denied.

7 Accordingly, IT IS HEREBY ORDERED that:

- 8 1. Plaintiff's motion, ECF No. 7, for an extension of time is denied as
9 unnecessary; and
- 10 2. Plaintiff's motion is also denied to the extent he seeks imposition of
11 sanctions against Defendant Gomez.

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13 Dated: December 22, 2021



14 DENNIS M. COTA
15 UNITED STATES MAGISTRATE JUDGE
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